

AMENDED IN ASSEMBLY SEPTEMBER 4, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Joint Resolution

No. 5

Introduced by Assembly Member Gomez

January 17, 2013

Assembly Joint Resolution No. 5—Relative to ~~firearms~~ *the Los Angeles River*.

LEGISLATIVE COUNSEL’S DIGEST

AJR 5, as amended, Gomez. ~~Firearms: assault weapons. Los Angeles River: ARBOR study alternative 20.~~

This measure would urge the ~~President and Congress of the United States to support and pass Senator Dianne Feinstein’s proposed legislation prohibiting the sale, transfer, importation, and manufacturing of assault weapons and large-capacity magazines~~ *United States Army Corps of Engineers to select ARBOR study alternative 20, which would serve to revitalize communities and create a more functional and interconnected watershed that will provide a more diverse regional ecological system and restore the functionality of the Los Angeles River as a critical natural and cultural heritage and community resource.*

Fiscal committee: no.

- 1 *WHEREAS, The Los Angeles River flows roughly 51 miles from*
- 2 *its origin in the San Fernando Valley to the Long Beach Harbor*
- 3 *and is 32 miles long within the City of Los Angeles; and*
- 4 *WHEREAS, Within the City of Los Angeles, the Los Angeles*
- 5 *River flows through three United States congressional districts,*
- 6 *eight city council districts for the City of Los Angeles,*
- 7 *approximately 20 neighborhood councils, 12 community plan*

1 *areas, the second largest urban region in the United States, and*
2 *one of the world's busiest port regions, and flows into the Pacific*
3 *Ocean, the world's largest body of water; and*

4 *WHEREAS, The Los Angeles River corridor is home to more*
5 *than one million people, more than 390,000 housing units, more*
6 *than 480,000 workers, more than 35,000 businesses, and more*
7 *than 80 schools; and*

8 *WHEREAS, The Los Angeles River flows through historically*
9 *disadvantaged communities and underserved neighborhoods of*
10 *Los Angeles that lack open-space resources and have high*
11 *unemployment rates; and*

12 *WHEREAS, The County of Los Angeles, the State of California,*
13 *the federal government, and an incredible number of nonprofit*
14 *groups and organizations have been invaluable partners in the*
15 *process of developing and now implementing the Los Angeles River*
16 *Revitalization Master Plan; and*

17 *WHEREAS, The goals of the Los Angeles River Revitalization*
18 *Master Plan include improving environmental quality, improving*
19 *public access to the Los Angeles River, increasing recreation and*
20 *open spaces, enhancing flood control, encouraging community*
21 *reinvestment, and increasing awareness and pride in the Los*
22 *Angeles River; and*

23 *WHEREAS, In 2006, recognizing the environmental degradation*
24 *occurring in and along the Los Angeles River within the boundaries*
25 *of the City of Los Angeles, the Los Angeles City Council authorized*
26 *the Board of Public Works of the City of Los Angeles to execute*
27 *an agreement with the United States Army Corps of Engineers for*
28 *the Los Angeles River Ecosystem Restoration Feasibility Study,*
29 *also known as the ARBOR study, committing the City of Los*
30 *Angeles to a 50 percent share of the cost as local sponsor. In 2009,*
31 *the cost increased when the total ARBOR study cost was raised to*
32 *\$9,710,000; and*

33 *WHEREAS, The ARBOR study is consistent with the goals of*
34 *President Obama's America's Great Outdoors Initiative, which*
35 *includes direction to reconnect Americans, especially children, to*
36 *America's rivers and waterways and to build upon state, local,*
37 *private, and tribal priorities for the conservation of land, water,*
38 *wildlife, and historic and cultural resources, creating corridors*
39 *and connectivity across these outdoor spaces, and for enhancing*
40 *neighborhood parks. In the President's America's Great Outdoors*

1 *Initiative, federal agencies are asked to determine how the federal*
2 *government can best advance these priorities through*
3 *public-private partnerships and locally supported conservation*
4 *strategies; and*

5 *WHEREAS, The Los Angeles River watershed was selected as*
6 *one of only seven nationwide first-phase pilots of the Urban Waters*
7 *Federal Partnership, an implementation piece of President*
8 *Obama's America's Great Outdoors Initiative, which aims to*
9 *stimulate regional and local economies, create local jobs, improve*
10 *quality of life, and protect American's health by revitalizing urban*
11 *waterways in underserved communities across the country and*
12 *the ARBOR study was selected as the top priority of the Urban*
13 *Waters Federal Partnership in Los Angeles; and*

14 *WHEREAS, In 2013, the United States Army Corps of Engineers*
15 *developed a final array of the four best buy alternatives for the*
16 *ARBOR study and only one of those alternatives includes both*
17 *significant restoration at the Los Angeles River's confluence with*
18 *the Verdugo Wash near the City of Los Angeles's border with the*
19 *City of Glendale and the only substantial western bank connection,*
20 *providing a profound hydrological link between the Los Angeles*
21 *State Historic Park (Cornfields site) and the Los Angeles River,*
22 *leveraging a significant investment made by the State of California*
23 *toward restoration of the Los Angeles River; and*

24 *WHEREAS, The City of Los Angeles endorses the ARBOR study*
25 *alternative 20 that results in the most expansive ecosystem*
26 *restoration, specifically that which includes the following priorities*
27 *for the City of Los Angeles:*

28 *(a) Verdugo Wash Confluence.*

29 *(b) Taylor Yard/Bowtie.*

30 *(c) Taylor Yard/G-2.*

31 *(d) Arroyo Seco Confluence.*

32 *(e) Cornfields Los Angeles State Historic Park.*

33 *(f) Piggyback Yard (Union Pacific Railroad); and*

34 *WHEREAS, Once complete, the ARBOR study will recommend*
35 *a project that will be cost-shared by the United States Army Corps*
36 *of Engineers and local sponsors to modify the river's concrete*
37 *channel significantly for the first time since the river was*
38 *channelized by the United States Army Corps of Engineers in the*
39 *early to mid 1900s. The project will be one of the largest examples*
40 *of urban ecosystem restoration; now, therefore, be it*

1 RESOLVED, BY THE ASSEMBLY AND THE SENATE OF
2 THE STATE OF CALIFORNIA JOINTLY, *That the Legislature*
3 *urges the United States Army Corps of Engineers to select the*
4 *ARBOR study alternative 20, which would serve to revitalize*
5 *communities and create a more functional and interconnected*
6 *watershed that will provide a more diverse regional ecological*
7 *system and restore the functionality of the Los Angeles River as a*
8 *critical natural and cultural heritage and community resource;*
9 *and be it further*

10 RESOLVED, *That the Chief Clerk of the Assembly transmit*
11 *copies of this resolution to the President and Vice President of the*
12 *United States, to the Speaker of the House of Representatives, to*
13 *the Majority Leader of the Senate, to each Senator and*
14 *Representative from California in the Congress of the United*
15 *States, and to the Commanding General and Chief of Engineers*
16 *of the United States Army Corps of Engineers.*

17 ~~WHEREAS, Assault weapons are a class of semiautomatic~~
18 ~~firearms designed with military features that allow those weapons~~
19 ~~to shoot large amounts of fire quickly and accurately. They are~~
20 ~~distinguishable from standard sporting firearms by features such~~
21 ~~as pistol grips and the ability to accept a detachable magazine; and~~

22 ~~WHEREAS, Assault weapons have been used in many~~
23 ~~shootings, including the December 14, 2012, Newtown,~~
24 ~~Connecticut, school shooting where a man used a .223-caliber~~
25 ~~Bushmaster semiautomatic assault rifle with a 30-round magazine~~
26 ~~resulting in the deaths of 20 children and six adults; and~~

27 ~~WHEREAS, The federal assault weapons ban, passed in 1994~~
28 ~~with the strong leadership of Senator Dianne Feinstein, banned~~
29 ~~certain models of semiautomatic assault weapons and~~
30 ~~large-capacity magazines that hold more than 10 rounds of~~
31 ~~ammunition. The ban expired on September 13, 2004, and has not~~
32 ~~been reauthorized; and~~

33 ~~WHEREAS, A United States Department of Justice study found~~
34 ~~that the federal assault weapons ban was responsible for a 6.7~~
35 ~~percent decline in total gun murders; and~~

36 ~~WHEREAS, The use of assault weapons in crime declined by~~
37 ~~more than two-thirds by about nine years after the 1994 federal~~
38 ~~assault weapons ban took place; and~~

1 WHEREAS, Since the expiration of the federal assault weapons
2 ban, 37 percent of police departments reported seeing a noticeable
3 increase in criminals' use of assault weapons; and

4 WHEREAS, Since the expiration of the federal assault weapons
5 ban, assault weapons have been used in at least 459 incidents,
6 resulting in 385 deaths and 455 injuries; and

7 WHEREAS, Senator Feinstein has announced that she will
8 introduce a bill in January 2013 to ban the sale, transfer,
9 importation, and manufacturing of military-style assault weapons
10 and large-capacity magazines; and

11 WHEREAS, The proposed legislation will cover 120 specifically
12 named firearms, certain other firearms that can accept a detachable
13 magazine and have one or more military characteristics, and
14 large-capacity magazines capable of accepting more than 10
15 rounds; and

16 WHEREAS, The proposed legislation will strengthen the 1994
17 federal assault weapons ban by moving from a two-characteristic
18 test to a one-characteristic test, adding a ban on the importation of
19 assault weapons and large-capacity magazines, and eliminating
20 the 10-year sunset that allowed the original ban to expire; and

21 WHEREAS, The proposed legislation will require that
22 grandfathered weapons be registered under the National Firearms
23 Act, bans the transfer of grandfathered large capacity magazines,
24 imposes a safe storage requirement for grandfathered firearms,
25 and establishes a voluntary buy-back program for grandfathered
26 assault weapons and large-capacity magazines; and

27 WHEREAS, The proposed legislation protects legitimate hunters
28 and the rights of existing gun owners by grandfathering weapons
29 legally possessed on the date of enactment, exempting over 900
30 specifically named weapons used for hunting and sporting
31 purposes, and exempting antique, manually operated, and
32 permanently disabled weapons; and

33 WHEREAS, Senator Feinstein has been working with her staff
34 for over a year on this proposed legislation to take the most
35 dangerous weapons of war off the streets while protecting the
36 rights of gun owners; and

37 WHEREAS, Because our borders are porous and only a small
38 number of states regulate assault weapons and large-capacity
39 magazines, without a comprehensive federal law even states that

1 take steps to protect their communities from these weapons are
2 vulnerable to criminals who use them; now, therefore, be it
3 *Resolved by the Assembly and the Senate of the State of*
4 *California, jointly,* That the Legislature urges the President and
5 the Congress of the United States to support and pass Senator
6 Feinstein's proposed legislation prohibiting the sale, transfer,
7 importation, and manufacturing of assault weapons and
8 large-capacity magazines; and be it further
9 *Resolved,* That the Chief Clerk of the Assembly transmit copies
10 of this resolution to the President and Vice President of the United
11 States, to the Speaker of the House of Representatives, to the
12 Majority Leader of the Senate, to each Senator and Representative
13 from California in the Congress of the United States, and to the
14 author for appropriate distribution.